



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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January 9, 2014

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Gregory Thompson v. County of Los Angeles, et al.
(Two Lawsuits) - Los Angeles Superior Court Case
Nos. BC 468 392 and BC 497 024

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Gregory Thompson v. County of Los Angeles, et al., (Two Lawsuits) - Los Angeles Superior Court Case Nos. BC 468 392 and BC 497 024, in the amount of \$215,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

The lawsuits concern allegations of civil rights violations and excessive force by Sheriff's Deputies on an inmate.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Gregory Thompson vs. County of Los Angeles, et al.
CASE NUMBER	BC 468392 and BC 497024
COURT	Los Angeles Superior Court
DATE FILED	October 9, 2012 and December 6, 2012
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 215,000
ATTORNEY FOR PLAINTIFF	Michael J. Avenatti, Esq.
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon
NATURE OF CASE	<p>Plaintiff Gregory Thompson alleges that his civil rights were violated when he was subjected to excessive force at Men's Central Jail by Sheriff's Deputies.</p> <p>The Deputies contend that the force used was reasonable and in response to Mr. Thompson's resistance.</p> <p>Due to the risks and uncertainties of the litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$215,000 is recommended.</p>

PAID ATTORNEY FEES, TO DATE	\$	73,710
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PAID COSTS, TO DATE	\$	11,342
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Case Name: Gregory Thompson v. County of Los Angeles, et al.



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Thursday, December 9, 2010; approximately 7:00 p.m.
Briefly provide a description of the incident/event:	<p><u>Gregory Thompson v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2013-036</p> <p>On Thursday, December 9, 2010, at approximately 7:00 p.m., the plaintiff was waiting with other inmates for the medical staff to dispense his medication. A deputy sheriff observed the plaintiff violate a jail regulation (possession of contraband) and ordered him to return to his cell.</p> <p>The plaintiff initially complied, but quickly returned agitated and confronted the deputy sheriff. A second deputy sheriff standing nearby immediately requested a supervisor, but before the supervisor could arrive, the plaintiff initiated a violent altercation with the first deputy sheriff. The two deputy sheriffs, and a third deputy sheriff who responded to the scene, used physical force to overcome the resistance offered by the plaintiff. The plaintiff was subsequently restrained and ultimately handcuffed.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

In his lawsuit, the plaintiff alleged he was subjected to excessive force by members of the Los Angeles County Sheriff's Department while he was incarcerated in the Los Angeles County jail system.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.

This incident was investigated by representatives from the Los Angeles County Sheriff's Department's Internal Affairs Bureau.

On September 22, 2011, the results of the investigation were presented to the members of the Los Angeles County Sheriff's Department's Executive Force Review Committee. The committee members'

County of Los Angeles
Summary Corrective Action Plan

review of the incident concluded that the physical force used by the three deputy sheriffs to overcome the resistance offered by the plaintiff was reasonable, necessary, and in compliance with Department policy. No systemic issues were identified. Consequently, no personnel-related administrative action was taken and no other corrective action measures are recommended nor contemplated.

3. Are the corrective actions addressing department-wide system issues?

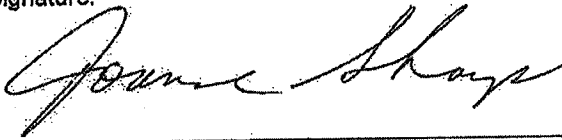
- ☐ Yes – The corrective actions address department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Joanne Sharp, Captain
Risk Management Bureau

Signature:



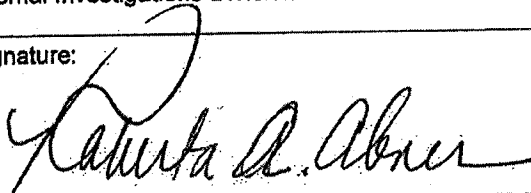
Date:

11-25-13

Name: (Department Head)

Roberta A. Abner, Chief
Internal Investigations Division

Signature:




Date:

12-05-13

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County of Los Angeles
Summary Corrective Action Plan

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
LEO COSTANTINO	
Signature:	Date:
	12/9/13